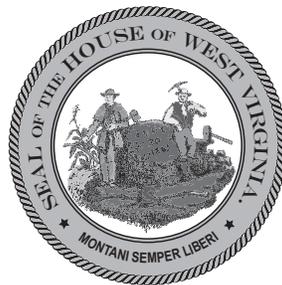


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Seventh Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



February 6, 2026
TWENTY-FOURTH DAY

Friday, February 6, 2026

TWENTY-FOURTH DAY

[DELEGATE HANSHAW, MR. SPEAKER, IN THE CHAIR]

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Thursday, February 5, 2026, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Worrell, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

H. B. 4474, Extending the Alzheimer's Disease and Other Dementia Advisory Council sunset date,

And,

H. B. 5022, Relating to expanding the programs to be included in the annual capitation rate review,

And reports the same back with the recommendation that they each do pass.

Delegate Worrell, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

H. B. 4767, Relating to requiring the Bureau of Medical Service to file a legislative rule,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4767 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to requiring the Bureau for Medical Services to file a legislative rule,"

With the recommendation that the committee substitute do pass.

Delegate Phillips, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 4501, Relating to Dietitian Licensure Compact,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4501 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-35-7a; and to amend the code by adding a new article, designated §30-35A-1, §30-35A-2, §30-35A-3, §30-35A-4, §30-35A-5, §30-35A-6, §30-35A-7, §30-35A-8, §30-35A-9, §30-35A-10, §30-35A-11, §30-35A-12, §30-35A-13, and §30-35A-14, relating to enacting the Dietitian Licensure Compact; requiring applicants seeking to practice in a remote state pursuant to the compact to submit to national and state criminal record background check as condition of eligibility for compact privilege; mandating such applicants to submit fingerprints and to authorize the board, West Virginia State Police, and Federal Bureau of Investigation to use records submitted to screen applicants; prohibiting release of background check results; providing for exceptions; establishing that background check records are not public records; obligating applicants to complete background check immediately after application for privilege to practice; requiring applicants to pay costs of fingerprinting and background check; and authorizing rulemaking and emergency rulemaking; providing for a purpose; providing for definitions; providing requirements for state participation in the compact; requirements to exercise the compact privilege; requirements for a licensee to hold a home state license based on a compact privilege; requiring criminal background check and setting educational and other requirements for a licensed dietitian; authorizing member state to charge fee for granting compact privilege; providing for state participation in the compact; establishing the privilege to practice in member states; providing for change in primary state or residence procedures relating to licensing for active duty military personnel and their spouses; providing for procedures relating to duties, meetings, responsibilities, and adverse actions; establishing the dietitian licensure compact commission; providing for membership, powers and duties of the commission; and providing for an executive committee; providing for a data system available for use among the member states; providing for rulemaking authority of the commission; providing for dispute resolution, and enforcement provisions of the commission among the member states; providing for date of implementation among the member states; providing for applicability of the existing rules at the time a new member state joins the commission; providing for withdrawal of any member states and conditions that must be met until withdrawal is effective; providing for a six-month period before withdrawal is effective; providing for construction and severability of the provisions of the compact; and providing for a binding effect of the laws and rules of the compact among the member states,"

With the recommendation that the committee substitute do pass.

Delegate Akers, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

H. B. 4466, Extend the public intoxication of alcohol code to include being under the impairment of narcotics in public,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4466 - "A Bill to amend and reenact §60-6-9 of the Code of West Virginia, 1931, as amended, relating to making it a misdemeanor to being under the impairment of

controlled substances in public; and providing for criminal penalties and education upon conviction thereof,"

And,

H. B. 4695, To double the criminal penalty for anyone found guilty of sexual assault on a minor,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4695 - "A Bill to amend and reenact §61-8B-5, §61-8B-9, §61-8D-4a, §61-8D-5 and §61-8D-6 of the Code of West Virginia, 1931, as amended, relating to increasing the criminal penalties for crimes against minors; increasing penalties for the offenses of sexual assault in the third degree; increasing penalties for sexual abuse in the third degree; increasing penalties for child neglect resulting in death; increasing penalties for sending, distributing, exhibiting, possessing, displaying, or transporting material by a parent, guardian, or custodian, or person in a position of trust, depicting a child engaged in sexually explicit conduct; increasing penalties for and adding attempt to the offense of sexual abuse by a parent, guardian, custodian, or person in a position of trust to a child; and creating criminal penalties,"

With the recommendation that the committee substitutes each do pass.

Delegate Criss, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 4089, Preservation of hair during chemotherapy. Also known as the "Jessica Huffman Bill",

And reports the same back with the recommendation that it do pass.

Delegate Criss, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 4297, Relating to authorizing the Municipal Pensions Oversight Board to promulgate a legislative rule relating to exempt purchasing,

And reports the same back with the recommendation that it do pass, but that it first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bill (H. B. 4297) was referred to the Committee on the Judiciary.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 256 - "A Bill to amend and reenact §64-3-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to alternative emission limitations during startup and shutdown operations; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to standards of performance for new stationary sources; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from combustion of solid waste; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from hazardous waste treatment, storage, and disposal facilities; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to cross-state air pollution rule to control annual nitrogen oxides emissions, annual sulfur dioxide emissions, and ozone season nitrogen oxides emissions; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to hazardous waste management system; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to requirements governing water quality standards; and authorizing the Department of Environmental Protection to promulgate a legislative rule relating to carbon dioxide sequestration fee schedule"; which was referred to the Committee on Energy and Public Works.

Bills Introduced

On motions for leave, bills were introduced and severally referred as follows:

At the request of Delegate McGeehan, and by unanimous consent, further reading of the bills was dispensed with and each bill was considered as formally introduced and referred to the appropriate committees as indicated on the Chamber Automation System.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5276 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Economic Development, fund 0256 fiscal year 2026, organization 0307, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5277 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department Health Facilities, Health Facilities – Welch Community Hospital, fund 0412, fiscal year 2026, organization 0512; to the Department Health Facilities, Health Facilities – William R. Sharpe Jr. Hospital, fund 0413, fiscal year 2026, organization 0512; and to the Department Health Facilities, Health Facilities – Mildred Mitchell-Bateman Hospital, fund 0414, fiscal year 2026, organization 0512, by adding new items of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5278 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Human Services, Division of Human Services, fund 0403, fiscal year 2026, organization 0511 by increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegate Hanshaw (Mr. Speaker):

H. B. 5279 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, Excess Lottery Fund, by adding a new item of appropriation to the State Board of Education, fund 3517, fiscal year 2026, organization 0402 for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5280 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, WorkForce West Virginia, fund 0572, fiscal year 2026, organization 0323, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5281 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, Division of Forestry, fund 0250, fiscal year 2026, organization 0305 by increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5282 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Public Defender Services, fund 0226, fiscal year 2026, organization 0221, by adding new items of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5283 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Travel Management, fund 0615, fiscal year 2026, organization 0215 by increasing an existing appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5284 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Human Services, Bureau for Social Services – Adoption, fund 0488, fiscal year 2026, organization 0511; to the Department of Human Services, Bureau for Social Services – Foster Care, fund 0489, fiscal year 2026, organization 0511; and to the Department of Human Services, Bureau for Social Services – Adult Services, fund 0492, fiscal

year 2026, organization 0511, by adding new items of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5285 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Human Services – Bureau for Social Services – Office of the Commissioner, fund 0486, fiscal year 2026, organization 0511, to the Department of Human Services – Bureau for Social Services – Child Protective Services Case Workers, fund 0493, fiscal year 2026, organization 0511, to the Department of Human Services – Bureau for Social Services – Social Services Case Workers, fund 0494, fiscal year 2026, organization 0511, to the Department of Human Services – Bureau for Social Services – Adult Protective Services Case Workers, fund 0495, fiscal year 2026, organization 0511, and to the Department of Human Services – Bureau for Social Services – Youth Service Case Workers, fund 0496, fiscal year 2026, organization 0511 by increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5286 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2026, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5287 - "A Bill making a supplementary appropriation of public moneys out of the Treasury to the Department of Human Services, Child Support Enforcement Fund, fund 5094, fiscal year 2026, organization 0511, by decreasing and increasing existing items of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5288 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Executive, Department of Agriculture – West Virginia Spay Neuter Assistance Fund, fund 1481, fiscal year 2026, organization 1400, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5289 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Executive, Department of Agriculture – Capital Improvements Fund, fund 1413, fiscal year 2026, organization 1400, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5290 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Health, Laboratory Services Fund, fund 5163, fiscal year 2026, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5291 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Administration, Board of Risk and Insurance Management – Premium Tax Savings Fund, fund 2367, fiscal year 2026, organization 0218 by supplementing and amending the appropriations for the fiscal year ending June 30, 2026. WHEREAS, The Governor has established that there now remains an unappropriated balance in the Department of Administration, Board of Risk and Insurance Management – Premium Tax Savings Fund, fund 2367, fiscal year 2026, organization 0218, that is available for expenditure during the fiscal year ending June 30, 2026, which is hereby appropriated by the terms of this supplementary appropriation bill; therefore"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5292 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Bureau of Juvenile Services, fund 0570, fiscal year 2026, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5293 - "A Bill making a supplementary appropriation of federal funds out of the Treasury to the Department of Human Services – Community Mental Health Services, fund 8794, fiscal year 2026, organization 0511, by decreasing and increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5294 - "A Bill making a supplementary appropriation of federal funds out of the Treasury to the Department of Human Services – Substance Abuse Prevention and Treatment, fund 8793, fiscal year 2026, organization 0511, by decreasing and increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5295 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Bureau of Senior Services, Bureau of Senior Services, fund 0420 fiscal year 2026, organization 0508 by adding a new item of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5296 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Executive, Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2026, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5297 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department Health Facilities, Health Facilities – William R.

Sharpe Jr. Hospital, fund 0413, fiscal year 2026, organization 0512, by adding a new item of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5298 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Revenue, Alcohol Beverage Control Administration, fund 7352, fiscal year 2026, organization 0708, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5299 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2026, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5300 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Executive, Department of Agriculture, fund 0131, fiscal year 2026, organization 1400, by adding a new item of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5301 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Human Services, Division of Human Services, fund 0403, fiscal year 2026, organization 0511 by increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5302 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Human Services, Bureau for Social Services – Foster Care, fund 0489, fiscal year 2026, organization 0511, by adding a new item of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5303 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Veterans' Assistance, Veterans' Facilities Support Fund, fund 6703, fiscal year 2026, organization 0613 by increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5304 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5305 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Human Services, fund 8722, fiscal year 2026, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5306 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Human Services, Health Care Provider Tax – Medicaid State Share Fund, fund 5090, fiscal year 2026, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5307 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Tourism, fund 0293 fiscal year 2026, organization 0304, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegate Hanshaw (Mr. Speaker):

H. B. 5308 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, Lottery Net Profits, by adding a new item of appropriation to the State Board of Education, fund 3951, fiscal year 2026, organization 0402 for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5309 - "A Bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2026 in the amount of \$15,000,000 from the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2023, organization 0100, appropriation 85700 and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2026, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegate Hanshaw (Mr. Speaker):

H. B. 5310 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the State Board of Education – State Department of Education, fund 0313, fiscal year 2025, organization 0402, by adding a new item of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5311 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Department of Homeland Security – Office of the Secretary, fund 0430, fiscal year 2026, organization 0601, by

supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5312 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2026, organization 0606 by increasing an existing item of appropriation for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5313 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Office of the Secretary, fund 0186, fiscal year 2026, organization 0201, by adding a new item of appropriation for the fiscal year ending June 30, 2026,"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5314 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Health, The Vital Statistics Account, fund 5144, fiscal year 2026, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5315 - "A Bill making a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Commerce, Division of Forestry, fund 8703, fiscal year 2026, organization 0305, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5316 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, Division of Economic Development, fund 0256, fiscal year 2026, organization 0307, by increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5317 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2026, organization 0310, by supplementing and amending the appropriations for the fiscal year ending June 30, 2026, by adding a new item of appropriation"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:

H. B. 5318 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2026, to the Department of Commerce, Division of Natural Resources – State Parks and Recreation

Endowment Fund, fund 3211, fiscal year 2026, organization 0310 by increasing the appropriations for the fiscal year ending June 30, 2026"; to the Committee on Finance.

Special Calendar

Third Reading

Com. Sub. for H. B. 4026, Relating to expanding the requirements for integrated resource plans utility companies must file with the Public Service Commission; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 52**), and there were—yeas 86, nays 6, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Anders, Bridges, Dillon, G. Howell, Masters and B. Ward.

Absent and Not Voting: Fluharty, Hall, Horst, Kump, D. Smith, Street and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4026) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Com. Sub. for H. B. 4382, Require collection agencies to provide a 30 day notice prior to wage garnishments; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 53**), and there were—yeas 91, nays 1, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: T. Howell.

Absent and Not Voting: Fluharty, Hall, Horst, Kump, D. Smith, Street and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4382) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Com. Sub. for H. B. 4461, Establishing limitations on billing practices of Internet or telecommunications providers that fail to provide subscribed customers service for five or more days; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 54**), and there were—yeas 92, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Fluharty, Hall, Horst, Kump, D. Smith, Street and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4461) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Com. Sub. for H. B. 4552, Relating to the law-enforcement powers of correctional officers; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 55**), and there were—yeas 92, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Fluharty, Hall, Horst, Kump, D. Smith, Street and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4552) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Com. Sub. for H. B. 4570, To make the posting of a summons in a conspicuous place on rental property acceptable service when a tenant is unavailable for personal service; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 56**), and there were—yeas 84, nays 8, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Garcia, Hamilton, Hansen, Hornbuckle, Lewis, Pushkin, Williams and Young.

Absent and Not Voting: Fluharty, Hall, Horst, Kump, D. Smith, Street and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4570) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Com. Sub. for H. B. 4625, Relating to quit claim deeds; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 57**), and there were—yeas 91, nays 1, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Hornby.

Absent and Not Voting: Fluharty, Hall, Horst, Kump, D. Smith, Street and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4625) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates and request concurrence therein.

Second Reading

Com. Sub. for H. B. 4012, Relating to reducing the regulatory burden on utility companies when constructing and maintaining electric power generation and transmission facilities within this state; on second reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate McGeehan, and by unanimous consent, the bill was postponed one day,

Com. Sub. for H. B. 4198, E-Verify Safe Harbor Act; on second reading, coming up in regular order, was read a second time.

Delegate McGeehan asked and obtained unanimous consent that Com. Sub. for H. B. 4198 be advanced to third reading with the general right to amend, in accordance with House Rule 114.

The bill was then read a second time, and advanced to third reading with the right to amend.

Com. Sub. for H. B. 4522, Banning Foreign backed spending on State Ballot Issues; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

Com. Sub. for H. B. 4755, Adding Aggravated Vehicular Homicide to the list of qualifying offenses; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

And,

Com. Sub. for H. B. 4982, Make West Virginia Healthy Act of 2026; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Clark, the amendment was adopted.

Delegate Clark moved to amend the committee substitute on page 7, section 8, line 9, by inserting a new subsection (d) to read to as follows: (d) The Office for Healthy Lifestyles shall coordinate with the West Virginia Department of Agriculture to identify vendors to locally source, grow, and supply fresh healthy foods.;

And, re-letter the remaining subsections accordingly.

On motion of Delegate Statler the amendment was adopted.

Delegates Statler and Toney move to amend the committee substitute on page 9, line 31, by striking paragraph (A) in its entirety and inserting a new paragraph (A) to read as follows:

(A) Develop a plan utilizing existing facilities, if available, to implement a mile trail surrounding the high schools or school grounds that would be open for the communities use to encourage participation in this fitness initiative.

And,

On page 10, line 48, by striking new subsection (f) in its entirety and inserting the following:

~~“(e) (f) The state board shall prescribe a program within the existing health and physical education program which incorporates fitness testing, reporting, recognition, fitness events and incentive programs which requires the participation in grades four through eight and the required high school course. The state board shall adopt the Presidential Fitness Test as part of this program and ensure it is administered and operated in accordance with the guidance of the President’s Council on Sports, Fitness, and Nutrition. For any areas of testing and preparation not addressed by the Presidential Fitness Test and the President’s Council on Sports, Fitness, and Nutrition, those areas of~~ The program shall be selected from nationally accepted fitness testing programs designed for school-aged children that test cardiovascular fitness, muscular strength and endurance, flexibility and body composition: ~~Provided, That nothing in this subsection shall be construed to prohibit the use of programs designed under the auspices of the President’s Council on Physical Fitness and Sports.~~ The program shall include modified tests for exceptional students. Each school in the state shall participate in National Physical Fitness and Sports Month in May of each year and shall make every effort to involve the community it serves in the related events.”

The bill was then ordered to engrossment and third reading.

First Reading

The following bills on first reading, coming up in regular order, were each read a first time and ordered to second reading:

Com. Sub. for H. B. 4011, Relating to advanced recycling,

Com. Sub. for H. B. 4053, To establish the blue envelope program,

Com. Sub. for H. B. 4179, To create felony charge for individuals who assault police officers or police dogs,

Com. Sub. for H. B. 4345, Relating to the preservation of missing persons records and evidence,

Com. Sub. for H. B. 4468, Relating to confidentiality of court files and law-enforcement records,

Com. Sub. for H. B. 4600, Require all ballots for primary and general elections be received not later than the close of the polls on election day,

H. B. 4749, Relating to adding requirements to the foster child bill of rights,

And,

Com. Sub. for H. B. 4893, Increase the penalties for contempt of court in a magistrate court.

Leaves of Absence

At the request of Delegate McGeehan, and by unanimous consent, leaves of absence for the day were granted Delegates Fluharty, Hall, Horst, Kump, D. Smith, Street and Vance.

Miscellaneous Business

Pursuant to House Rule 94b, forms were filed with the Clerk's Office to be added as a cosponsor of the following:

H. B. 4405: Delegate Funkhouser;

H. B. 4531: Delegate Pushkin;

H. B. 4697: Delegate Coop-Gonzalez;

H. B. 4709: Delegate Funkhouser;

H. B. 4819: Delegate Leavitt;

And,

H. B. 4999: Delegate D. Cannon.

At 11:41 a.m., the House of Delegates adjourned until 11:00 a.m., Monday, February 09, 2026.

**HOUSE OF DELEGATES
JEFFREY PACK, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470**

SPECIAL CALENDAR

Monday, February 9, 2026

27th Day

11:00 A.M.

THIRD READING

- Com. Sub. for H. B. 4198 - E-Verify Safe Harbor Act [RIGHT TO AMEND]
- Com. Sub. for H. B. 4522 - Banning Foreign backed spending on State Ballot Issues
- Com. Sub. for H. B. 4755 - Adding Aggravated Vehicular Homicide to the list of qualifying offenses
- Com. Sub. for H. B. 4982 - Make West Virginia Healthy Act of 2026

SECOND READING

- Com. Sub. for H. B. 4011 - Relating to advanced recycling.
- Com. Sub. for H. B. 4012 - Relating to reducing the regulatory burden on utility companies when constructing and maintaining electric power generation and transmission facilities within this state
- Com. Sub. for H. B. 4053 - To establish the blue envelope program.
- Com. Sub. for H. B. 4179 - To create felony charge for individuals who assault police officers or police dogs
- Com. Sub. for H. B. 4345 - Relating to the preservation of missing persons records and evidence
- Com. Sub. for H. B. 4468 - Relating to confidentiality of court files and law-enforcement records
- Com. Sub. for H. B. 4600 - Require all ballots for primary and general elections be received not later than the close of the polls on election day.
- H. B. 4749 - Relating to adding requirements to the foster child bill of rights
- Com. Sub. for H. B. 4893 - Increase the penalties for contempt of court in a magistrate court

FIRST READING

- H. B. 4089 - Preservation of hair during chemotherapy. Also known as the "Jessica Huffman Bill"
- Com. Sub. for H. B. 4466 - Extend the public intoxication of alcohol code to include being under the impairment of narcotics in public
- H. B. 4474 - Extending the Alzheimer's Disease and Other Dementia Advisory Council sunset date.
- Com. Sub. for H. B. 4501 - Relating to Dietitian Licensure Compact
- Com. Sub. for H. B. 4695 - To double the criminal penalty for anyone found guilty of sexual assault on a minor
- Com. Sub. for H. B. 4767 - Relating to requiring the Bureau of Medical Service to file a legislative rule
- H. B. 5022 - Relating to expanding the programs to be included in the annual capitation rate review.

HOUSE CALENDAR

Monday, February 9, 2026

27th Day

11:00 A.M.

SECOND READING

Com. Sub. for H. B. 4477 - To give the Secretary of State authority to refer allegations of violations of election laws to West Virginia Prosecuting Attorneys Institute.

FIRST READING

Com. Sub. for H. B. 4640 - Relating to drugs and adding a provision relating to the scheduling of crystalline polymorph psilocybin approved by the Food and Drug Administration

WEST VIRGINIA HOUSE OF DELEGATES

MONDAY, FEBRUARY 9, 2026

HOUSE CONVENES AT 11:00 A.M.

COMMITTEE ON RULES

10:45 A.M. – SPEAKERS CONFERENCE ROOM 218M

SUBCOMMITTEE ON REVENUE

9:00 A.M. – FINANCE COMMITTEE ROOM 460M

COMMITTEE ON JUDICIARY

9:00 A.M. – JUDICIARY COMMITTEE ROOM 410M

SUBCOMMITTEE ON COURTS

9:45 A.M. – JUDICIARY COMMITTEE ROOM 410M

SUBCOMMITTEE ON HOMELAND SECURITY

10:00 A.M. – JUDICIARY COMMITTEE ROOM 410M

SUBCOMMITTEE ON LEGAL SERVICES

10:15 A.M. – JUDICIARY COMMITTEE ROOM 410M

COMMITTEE ON GOVERNMENT ORGANIZATION

1:00 P.M. – EAST WING COMMITTEE ROOM 215E

SUBCOMMITTEE ON LOCAL GOVERNMENTS

2:00 P.M. – EAST WING COMMITTEE ROOM 215E

COMMITTEE ON HEALTH AND HUMAN RESOURCES

3:30 P.M. – EAST WING COMMITTEE ROOM 215E

COMMITTEE ON EDUCATION

1:00 P.M. – EDUCATION COMMITTEE ROOM 434M

HOUSE OF DELEGATES
JEFFREY PACK, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470